

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

1) VIDEO GAMING TECHNOLOGIES, INC.,)	
)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:17-cv-00454-GKF-JFJ
)	
1) CASTLE HILL STUDIOS LLC)	
(d/b/a CASTLE HILL GAMING);)	
2) CASTLE HILL HOLDING LLC)	
(d/b/a CASTLE HILL GAMING); and)	
3) IRONWORKS DEVELOPMENT, LLC)	
(d/b/a CASTLE HILL GAMING))	
)	
Defendants.)	

**DECLARATION OF REBECCA DALTON IN SUPPORT OF PLAINTIFF
VIDEO GAMING TECHNOLOGIES, INC.’S OPPOSITION TO DEFENDANTS’
MOTION IN LIMINE TO EXCLUDE EVIDENCE OF ACTUAL CONFUSION**

1. I am an attorney with the law firm of Covington & Burling LLP, counsel for Plaintiff Video Gaming Technologies, Inc. (“VGT”).

2. **Exhibit A** attached to Plaintiff Video Gaming Technologies, Inc.’s Opposition to Defendants’ Motion in Limine to Exclude Evidence of Actual Confusion (Dkt. 205, redacted version, and Dkt. 206, unredacted version) (the “Opposition”) is a true and correct copy of a printout from the Jokers Wild Forum website, <http://jokerswildforum.com/showthread.php?2542-A-new-casino-in-Texas>, accessed October 25, 2017 (VGT0001673–87).

3. **Exhibit B** attached to the Opposition is a true and correct copy of a printout from the Naskila Gaming Facebook page, <https://www.facebook.com/naskilagaming/posts/1795969217098588>, accessed October 25, 2017 (VGT0001661–72).

4. **Exhibit C** attached to the Opposition is a true and correct copy of excerpts from the deposition testimony of Aaron Milligan, dated February 9, 2018.

5. **Exhibit D** attached to the Opposition is a true and correct copy of excerpts from the deposition testimony of Jason Sprinkle, dated May 18, 2018.

6. **Exhibit E** attached to the Opposition is a true and correct copy of VGT's Deposition Exhibit 42 from the deposition of Aaron Milligan taken on February 9, 2018 (CHG0009315–17).

7. **Exhibit F** attached to the Opposition is a true and correct copy of excerpts from the deposition testimony of James T. Berger, dated September 26, 2018.

8. **Exhibit G** attached to the Opposition is a true and correct copy of excerpts from the deposition testimony of Arthur A. Watson III, dated July 12, 2018.

9. **Exhibit H** attached to the Opposition is a true and correct copy of excerpts from the deposition testimony of Jay Seigny, dated July 12, 2018.

10. **Exhibit I** attached to the Opposition is a true and correct copy of a declaration signed by James Marcum, dated November 28, 2017 (VGT0006765–66).

11. **Exhibit J** attached to the Opposition is a true and correct copy of a declaration signed by Josh Akins, dated January 22, 2018 (VGT0006767–69).

12. **Exhibit K** attached to the Opposition is a true and correct copy of a declaration signed by Sheldon Watkins, dated June 4, 2018 (VGT0053034–35).

13. **Exhibit L** attached to the Opposition is a true and correct copy of a declaration signed by Constance Hollingsworth, dated June 25, 2018 (VGT0056086–87).

14. I declare under penalty of perjury that the foregoing is true and correct.
Executed on November 16, 2018 in Washington, District of Columbia.

/s/ Rebecca Dalton
Rebecca Dalton

CERTIFICATE OF SERVICE

I hereby certify that on November 16, 2018, I filed the foregoing Declaration of Rebecca Dalton in Support of Plaintiff Video Gaming Technologies, Inc.'s Opposition to Defendants' Motion In Limine to Exclude Evidence of Actual Confusion via ECF, which caused service to be effected on the following counsel for Defendants:

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